

## **REMARKS**

Reconsideration and formal examination of this application are respectfully requested.

In a restriction requirement dated February 6, 2006, the Examiner required restriction under 35 U.S.C. § 121 among:

- I. Claims 1-23, 30-35, and 40-42, drawn to methods for determining repertoire of a lymphocyte B population, classified in class 435, subclass 6; and
- II. Claims 24-29 and 36-39, drawn to primer sets and kits containing primer sets, classified in class 536, subclass 24.33.

In their Response filed August 7, 2006, Applicants elected to prosecute Group I, claims 1-23, and 30-35, drawn to methods for determining repertoire of a lymphocyte B population. Applicants affirm their previous election of the claims of Group I.

Claims 40-42 were included in Group I of the requirement for restriction. This appears to have been an oversight, since these claims are directed to methods of using the kits of Group II. Clarification of the restriction requirement was respectfully requested so that applicants' right to file a divisional application directed to the use of the kits of Group II is preserved. Applicants renew their request for clarification of the restriction requirement.

Restriction was also required between different primers and probes. Specifically, applicants were required to elect sequences within the VH primer group, two sequences within the JH primer group, and two sequences within the CH probe group. In response to this requirement, applicants elected SEQ ID NO. 11 and SEQ ID NO. 13 in the VH

forward primer group, SEQ ID NO. 16 and SEQ ID NO. 17 in the JH forward primer group, and SEQ ID NO. 40 and SEQ ID NO. 41 in the CH probe group.

In the Office Action mailed October 3, 2006, the Examiner properly noted that the election of SEQ ID NO. 40 and SEQ ID NO. 41 was improper because these SEQ ID NOS. are not found in the sequence listing of the application. Applicants regret this error and apologize for any inconvenience to the Examiner. Applicants hereby elect SEQ ID NO. 34 and SEQ ID NO. 35.

Claims 43-45 were added to the application in Applicants' last response. These claims were directed to the elected species. Claim 45 has now been corrected to recite "SEQ ID NO. 34 and SEQ ID NO. 35", instead of the erroneously identified sequences, namely, SEQ ID NO. 40 and SEQ ID NO. 41.

Formal examination of this application and allowance of the claims at the Examiner's convenience are respectfully requested.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

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